



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RESPONSE TRANSMITTAL LETTER**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 16, 2005.

M. Ena Ellis

Applicant : Stephen C. James Confirmation No. 6047
Application No. : 10/665,839
Filed : September 19, 2003
Title : SWITCH WITH INSULATION DISPLACEMENT CONNECTORS
Grp./Div. : 2832
Examiner : Kyung S. Lee

Docket No. : 50922/RDS/J106

Mail Stop Amendment

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068

August 16, 2005

Commissioner:

Enclosed is a response to the Office action dated July 27, 2005.

CLAIMS AS AMENDED (Not Applicable)						
	Claims Remaining After Amendment	Highest Number Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims Fee		*		x \$25.00	x \$50.00	
Independent Claims		**		x \$100.00	x \$200.00	
Multiple Dependent Claims ***				\$180.00	\$360.00	
TOTAL FILING FEE						
NO ADDITIONAL FEE REQUIRED	IF NO FEE REQUIRED, INSERT "0"					-0-
LIST INDEPENDENT CLAIMS:						
* IF HIGHEST NUMBER PREVIOUSLY PAID FOR IS 20 OR LESS, WRITE "20" IN COLUMN 3						
** IF HIGHEST NUMBER PREVIOUSLY PAID FOR IS 3 OR LESS, WRITE "3" IN COLUMN 3						
*** PAY THIS FEE ONLY WHEN MULTIPLE DEPENDENT CLAIMS ARE ADDED FOR THE FIRST TIME						

Amendment Transmittal Letter
Application No. 10/665,839

Attached is our check for \$ to pay the fees calculated above.

A Petition for Extension of Time and the required fee are enclosed.

X

Other enclosures: **As set forth on page 5 of Applicant's Request for Reconsideration**

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by or to give effect to this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By Richard D. Seibel
Richard D. Seibel
Reg. No. 22,134
626/795-9900

RDS/mee

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Title : SWITCH WITH INSULATION DISPLACEMENT CONNECTORS
TC/A.U. : 2832
Examiner : Kyung S. Lee

Docket No. : 50922/RDS/J106
Customer No. : 23363

REQUEST FOR RECONSIDERATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
August 16, 2005

Commissioner:

Applicant requests that the Requirement for Restriction dated July 27, 2005, be reconsidered and withdrawn. In the Requirement it is alleged that claims 1 to 17 are drawn to "an IDC connection" and claims 18 to 22 are drawn to "a switch having an IDC device." Applicant submits that this is erroneous and that all of the claims are directed to a switch.

Enclosed herewith is a short form outline or summary of the independent claims in this application. (Some of the claims are also set out in full for the Examiner's convenience.) In the short form, the dependent claims have been omitted since they include all the limitations of the respective independent claim. The outlined independent claims have been redacted to delete

details that are not necessary for identifying the subject matter of the claims. Nouns listing the elements of each claim are highlighted by printing in bold face.

From this can easily be seen that all of the claims recite "**A switch**" as the entire preamble of the claim. Furthermore, all of the claims specifically recite a **switch body**. All of the claims specifically recite at least one **connector**. Most of the claims (except 16 and 17) in both groups listed by the Examiner, also recite a **flap** hinged to the switch body. Regardless of these express limitations in the switch recited in the claims, the Examiner alleges that some of them are drawn to only "an IDC connection." It is not apparent how such an error could have occurred but it is nonetheless, erroneous.

The error in this interpretation of the claims is emphasized by noting claims 4 and 12 which include no details of an insulation displacement connector (IDC). The additional limitations in each of these claims relate to the flap hinged to the switch body and not to the listed IDC, yet the Examiner lists these claims as being drawn to an IDC. Certainly, an IDC is mentioned in the claims, but that's all; that does not change the fact that these claims are for a switch.

Claim 18 is certainly drawn to a switch having an IDC device. Applicant submits that the only difference for purposes of determining whether restriction is required under PTO practice, is that this claim has more details about the switch than some of the preceding claims. Many of the preceding claims have specific recitations of details of the switch, and

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particularly the flap, which are different in scope but not different in nature from the additional limitations in claim 18.

In the Examiner's comments alleging that the inventions in the two groups of claims are "mutually exclusive", it is stated that "in the instant case, the intermediate product is deemed to be useful as IDC device used in an I/O interface device" (whatever that may be). There is absolutely nothing in the record showing why a switch as recited in claims 1 to 17 is "mutually exclusive" in an I/O interface device" from a switch as recited in claims 18 to 22. As pointed out above, applicant is not claiming an IDC, per se, but in each and every one of the claims, a switch is recited along with some of its details. As far as applicant can tell, the statement about "an I/O interface device" is a meaningless statement since it is not apparent how one claimed switch could be different in an I/O interface device than another switch.

The Examiner has alleged that claims 1 to 17 are "drawn to an IDC connection classified in class 439, subclass 810." This is clearly in error. Class 439 is for electrical connectors. Subclass 810 stated to be for:

Metallic connector or contact having movable or resilient securing part;
• screw-thread operated securing part;
• screw-access intersects conductor axis (e.g., set screw).

There is absolutely no set screw or the like, contacting a conductor in the switch disclosed or claimed in this application. Claims 1 to 17 could not possibly be classified in

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class 439, subclass 810. This error is a further reason that the requirement for restriction should be withdrawn

Applicant has not attempted to classify an IDC, but it may be noted that the Examiner has cited references in class 439, subclasses 402, 403, 409 and 596. Apparently, the Examiner has searched in applicable subclasses for an IDC.

Clearly the Examiner has performed the appropriate searches for the subject matter actually claimed in this application. Apparently the Examiner now wishes to search class 439, subclass 810 for material prior art, even though there is nothing in claims 1 to 17 that could possibly be found in a subclass concerning a set screw for example.

Furthermore, the Examiner has cited references from class 200, subclass 284, which relates to electrical switches and the Examiner has cited one of these patents (Wecke) from subclass 284 when rejecting some of Applicant's claims. The Examiner alleges that the Wecke patent "teaches a switch comprising: a switch body 25 having a connector portion . . . an [IDC] . . . and an insulation flap 2 hinged to the body 1:" The Examiner has cited the Wecke patent in rejecting claim 1 for example, since amongst other elements it also includes "a switch body 25", "an . . . IDC" and "an insulation flap". It is clearly erroneous to now allege that the claims specifically reciting all of these elements is drawn to an IDC alone.

Although the requirement for restriction is traversed, Applicant provisionally elects claims 1 to 17 for further

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examination. It may be noted that claims 1 to 17 have already been examined once.

In the Patent and Trademark Office Action dated February 22, 2005, claims 18 to 22 were indicated to be allowable, while claims 1 to 17 were rejected. Applicant has responded with a detailed statement of the reasons that claims 1 to 17 should be allowed. If the Examiner persists in requiring restriction in this application, examination on the merits of claims 1 to 17 and allowance of these claims are respectfully requested.

Since the requirement for restriction is clearly in error, for reasons unrelated to the patentability or distinctiveness of the claims, vis a vis each other, the requirement should be withdrawn. Once withdrawn, all of the claims should be allowed, and such action is respectfully requested.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

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RDS/frs

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**Enclosures: Outline of Claims, Redacted
Selected Claims without Redacting**